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May 9, 2006

Via-E-File
The Honorable David R. Homer
James T. Foley U.S. Courthouse
445 Broadway
Albany, New York 12207-2974

Re: Priddis Music, Inc. v. Trans World Entertainment Corporation
Civil Action Number: 05-cv-0491

Dear Magistrate Judge Homer:

This is a joint request made by counsel for plaintiff and defendant in the above-referenced matter for an extension of the time within which to complete discovery. In making this request, counsel for both sides are acutely aware of Rule 16(b) and the court's policy with regard to such requests. We believe, however, that good cause exists and that neither undue delay nor prejudice will result from an extension.

For my firm's part, this matter was originally staffed by Morgan Costello, Esq., under the supervision of Kenneth L. Gellhaus, Esq. In March of this year, Ms. Costello left our firm to join the office of the New York State Attorney General. Responsibility for the matter was then transferred to William A. Hurst, Esq., also under the supervision of Mr. Gellhaus. In April of this year, Mr. Hurst announced his intention to leave this firm for another. At the time the matter was reassigned to Mr. Hurst, the firm was unaware that he intended to make that change.

Counsel for defendant, Boies, Schiller & Flexner, LLP, has had a similar shift in responsibility. Until recently, this matter had been handled by J. Matthew Donohue. However, in April of this year, Mr. Donohue indicated that he would be leaving the Boies, Schiller firm and the matter was reassigned to Michael Endler, Esq. and Robert Tietjen, Esq., of that firm.

The undersigned, who is now working with Mr. Gellhaus on this matter on behalf of the McNamee firm, has conferred with Mr. Tietjen to discuss the discovery that remains to be completed in the approximately three weeks between now and the June 1 discovery deadline. Mr. Tietjen and I agree that an extension of time will be needed if all of those tasks are to be thoroughly completed. Accordingly, this joint request for a sixty-day extension of time is offered for the court's consideration.

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The action was originally filed on April 21, 2005. The matter must be trial ready, therefore, by October 21, 2006. A sixty-day extension of the discovery deadline from June 1, 2006 to August 1, 2006 would leave the matter trial ready well in advance of that deadline.

We are grateful for the court's consideration. If you have any questions or require anything further, please contact the undersigned.

Respectfully submitted,

/s/ Michael J. Hall

MJH:jmv

cc: Robert Tietjen, Esq.